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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

DAVID PRADO FLORES, AKA
GERARDO AVILA ZALDIVAR,
Defendant.

Case No. 2:09-CR-01103(A)-ODW
ORDER OF DETENTION
[18 U.S.C. §§ 3146; 3148(b), 3143(a)]

I.

On February 25, 2019, Defendant David Prado Flores aka Gerardo Zaldivar (“Defendant”) made an initial appearance in this district following his arrest on a bench warrant issued by the United States District Court for the Central District of California on February 20, 2014 for alleged violations of the terms and conditions of pretrial release pursuant to 18 U.S.C. § 3146, Case No. 2:09-CR-01103(A)-ODW (“Warrant”).

The Court appointed Deputy Public Defender Jill Ginstling to represent Defendant.

1 The Court has reviewed the files and records in this matter, including the
2 report prepared by the U.S. Pretrial Services Agency and its recommendation of
3 detention.

4 The Court finds, pursuant to 18 U.S.C. § 3148(b), as follows:

5 1. Based on the factors set forth in 18 U.S.C. § 3142(g), there no longer
6 exists any condition or combination of conditions of release that reasonably will
7 assure Defendant will not flee or pose a danger to the community or to others if
8 allowed to remain on bail pending future court proceedings.

9 2. The Court has taken into account the allegations of Defendant's
10 noncompliance with the conditions of pretrial release as alleged in the Warrant.

11 The Court finds that the conduct defendant is alleged to have engaged in
12 constitutes a change in circumstances that justifies reconsideration of the decision
13 to allow him to remain on release. The Court now finds that, under the current
14 circumstances, clear and convincing evidence does not exist to show that the
15 defendant is not likely to flee or pose a danger to the community or to others if
16 allowed to remain on bail.

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18 II.

19 IT IS THEREFORE ORDERED that Defendant be detained until trial. The
20 defendant will be committed to the custody of the Attorney General for
21 confinement in a corrections facility separate, to the extent practicable, from
22 persons awaiting or serving sentences or being held in custody pending appeal.
23 The defendant will be afforded reasonable opportunity for private consultation
24 with counsel. On order of a Court of the United States or on request of any
25 attorney for the Government, the person in charge of the corrections facility in
26 which defendant is confined will deliver the defendant to a United States Marshal

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1 for the purpose of an appearance in connection with a court proceeding.

2 [18 U.S.C. § 3142(i).]

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5 Dated: February 26, 2019

_____/s/_____
6 HON. MARIA A. AUDERO
7 UNITED STATES MAGISTRATE JUDGE
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